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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,817	10/22/2001	Satoshi Banno	Q66668	8303
7590 05/05/2004				
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC		EXAMINER		
2100 Pennsylvania Avenue, N.W.		IQBAL, KHAWAR		
Washington, DC 20037-3202				
		ART UNIT	PAPER NUMBER	
		2686	5	

DATE MAILED: 05/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/982,817

Applicant(s)

BANNO, SATOSHI

Examiner

Khawar Iqbal

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2,4</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1,3-4,6 are rejected under 35 U.S.C. 102(e) as being unpatentable by Corbett et al (6351642).

3. Regarding claim 1 Corbett et al teaches a mobile telephone comprising (figs. 1,5):

a first acquisition means, which acquires position information of a base station having a stored position (col. 5, lines 1-25); a second acquisition means, which acquires position information for a current position (col. 5, lines 1-25);

a calculation means, which, based on said position information acquired by said first acquisition means and said second acquisition means and position information input for the target position, calculates an angle formed between a line joining said current position and said base station and a line joining said current position and said target position (col. 5, lines 26-53, col. 8, lines 8-37, fig. 5);

a first locating means, which, based on a received level of a signal transmitted from said base station, locates a direction to a location of said base station (col. 5, lines

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26-53, col. 8, lines 8-37, fig. 5); and a second locating means, which, based on said direction located by said first locating means and said angle calculated by said calculation means, locates a direction to said target position (col. 5, lines 26-53, col. 8, lines 8-37, fig. 5).

2. A mobile telephone according to claim 1, wherein a direction to said target located by said second locating means is caused to be indicated on a display.

Regarding claim 3 Corbett et al teaches a directional antenna receiving a signal transmitted from said base station; and a calculation means calculating a field strength of said received signal, wherein, said first locating means determines a calculated direction having a maximum field strength as a direction to a position of said base Station (col. 5, lines 26-53, col. 8, lines 8-37, fig. 5).

Regarding claim 4 Corbett et al teaches wherein said second acquisition means acquires position information of said current position, based on signals sent from a plurality of GPS satellites (col. 4, lines 30-55).

Regarding claim 6 Corbett et al teaches which transmits its own position information in response to a request from said mobile telephone (col. 5, lines 26-53, col. 8, lines 8-37, fig. 5).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2,5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corbett et al (6351642) and further in view of Takeshi (JP 10-281801).
6. Regarding claims 2,5 Corbett et al does not specifically teach second locating means is caused to be indicated on a display.

In an analogous art, Takeshi teaches second locating means is caused to be indicated on a display (page 9, para. # 0080-0084)). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Corbett et al by specifically adding features in order to enhance second locating means is caused to be indicated on a display to increasing the efficiency of the communication system as taught by Takeshi.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 703-306-3015.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MARSHA D BANK-HAROLD can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marsha D. Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
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Khawar Iqbal
Examiner
Art Unit 2686

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